

REMARKS:

In the foregoing amendments, applicant's specification was amended to correct an editorial error. Claims 1, 2, 6, 8, 9, 17 and 18 were amended by better defining that the display is changed when the state of the working machine changes "independent of operator input." Applicant respectfully submits that it is implicit in the expression "when the state of the working machine changes" that the change of the state of the working machine occurs "independent of operator input." This is described throughout applicant's specification disclosure at, for example, page 14, lines 10-14; page 34, line 16, to page 35, line 23; page 42, lines 8-15; and elsewhere. Applicant's specification explains that the change in the state of the working of vehicle can include a change in a working oil temperature, an abnormality detected by a sensor, detected signals, engine water temperature, working oil temperature, fuel quantity, service time, battery charge, etc., all of which occur independent of operator input. These descriptions are sufficient to have reasonably conveyed to one of ordinary skill in the art that the inventors invented the subject matter set forth in claims 1, 2, 6, 8, 9, 17 and 18. *In re Kaslow*, 707 F.2d 1366, 217 USPQ 1089, 1096 (Fed. Cir. 1983). *Martin v. Johnson*, 172 USPQ 391, 395 (CCPA 1972); *Case v. CPC International, Inc.*, 730 F.2d 745, 221 USPQ 196, 201 (Fed. Cir.), *cert. denied*, 469 U.S. 874, 224 USPQ 736 (1984), *Fujikawa v. Wattanasin*, 93 F.3d 1559, 39 USPQ2d 1895 (Fed. Cir. 1996).

The foregoing amendments are being made to clarify what was already implied in applicant's claims and these amendments are not narrowing amendments and are not being made for reasons substantially related to patentability presented. Claims 1-6 and 8-18 remain in the application for consideration by the examiner.

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The Official action set forth a rejection of applicant's claims 1-6 and 8-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent No. 5,648,755 of Yagihashi *et al.* (Yagihashi) in view of U.S. patent No. 5,847,704 of Hartman. These teachings were previously cited against applicant's claims, but not combined together in a single rejection. Applicant respectfully submits that the teachings of Yagihashi and Hartman are patently distinguishable from applicant's claimed invention for the reasons set forth in applicant's response filed on August 29, 2005, which are incorporated herein by reference. In addition, applicant respectfully submits that the presently claimed invention is patently distinguishable from the combined teachings of Yagihashi and Hartman for at least the following reasons.

The outstanding Office action acknowledged that Yagihashi fails to teach that the "made indicative" indicators are displayed at a predetermined location, which replace the made "unindicative" indicators; and that the made "unindicative" indicators can no longer be viewed on the display. In the outstanding Office action, the teachings of Hartman were cited as teaching the display of enlarged made "indicative" marks, which replace the made "unindicative" marks; and the made "unindicative" marks are no longer viewed on the display. The Official action explained that in Hartman the made "unindicative" marks 40-48 of figure 3 are replaced by the made "indicative" marks 64-67 of figure 2 and can no longer be viewed on the display. Additionally, the Official action stated that the made "unindicative" marks 68, 74, 76 of figure 2 are replaced by the made "indicative" marks 40-48 and 84 of figure 3 and can no longer be viewed on the display.

In the teachings of Hartman, the display on the screen 22 can be changed when the driver presses one of the selection switches 36. Figure 2 illustrates the displayed

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image on the screen 22 as a result of the driver pressing the selection switch 60 (i.e., user interaction). Figure 3 illustrates the display image on the screen 22 as a result of the driver pressing the selection switch 80. Present claims 1, 2, 6, 8, 17 and 18 require that a change in the display occurs when the state of the working vehicle makes a change "independent of operator input." Applicant respectfully submits that pressing one of the selection switches 36, as proposed by Hartman, cannot suggest to one of ordinary skill in the art the changing of a display screen based on a change in the state of the working vehicle independent of operator input, nor that such a change of the display would be appropriate in the teachings of Yagihashi. The change proposed by Hartman results from input of the operator. On the other hand, the change in the display defined in claims 1, 2, 6, 8, 17 and 18 occurs independent of operator input.

Independent claims 1, 6, 8, 9, 17 and 18 defined, *inter alia*:

that when the state of the working machine makes a change independent of operator input, the state change indication mark, as displayed in the predetermined display segment, is made unindicative and a predetermined state indication mark is displayed in the predetermined display segment, and

that when the state change indication mark is made unindicative, the state change indication mark can no longer be viewed on the display.

The teachings of Hartman proposed, at best, that the display changes in response to user input, which is in contrast to changes independent of operator input, as required in the present claims.

As acknowledged in the outstanding Office action, the arrangement proposed by Yagihashi is quite different from the presently claimed invention, such as that set forth in claims 1, 2, 6, 8, 17, and 18, in that the teachings of Yagihashi do not contemplate

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or suggest making a mark unindicative, which requires removing the mark from the display or otherwise inhibiting view of the mark (icon) and replacing it with another mark. Therefore, applicant respectfully submits that the presently claimed invention is patently distinguishable from the teachings of Yagihashi. Tables 1-4 of Yagihashi propose the status of various marks in modes 1-19. These modes are discussed in columns 3 and 4 of Yagihashi. In mode 2 of table 1, most marks are not displayed. In all the other modes, all the marks are displayed. In mode 2 of Yagihashi, the accessory circuit of the vehicle is closed, such as when the vehicle is at rest. During this time, the vast majority of the marks are not shown. However, this non-display of the vast majority of the marks in mode 2 of Yagihashi has nothing to do with making a predetermined state indication mark unindicative, when a change of the state of the working vehicle occurs independent of operator input, and displaying in a segment of the mark made unindicative a state change indication mark, as required in the present claims.

In the presently claimed invention, the state indication mark (or the state change indication mark) is made unindicative when a change of the state of the working vehicle occurs independent of operator input. When unindicative, the predetermined state mark (or the state change indication mark) can no longer be viewed on the display. The expression "change of the state of the working vehicle occurs independent of operator input" means a change that occurs while the vehicle is working, i.e., running under working conditions by, for example, input from a sensor. This is different from the situation proposed by Yagihashi where the vast majority of the marks are turned off by the user turning off the vehicle as proposed in mode 2 therein. For such reasons, applicant respectfully submits that the teachings of

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Yagihashi cannot contemplate or suggest making the mark (icon) unindicative, when a change of the state of the working vehicle occurs independent of operator input, in accordance with applicant's claims.

The teachings of Hartman propose a display always including images of selected items such as a speedometer, odometer, and fuel gauge. When other displays are desired in response to user control, the images of the selected items are moved to sides of the screen and rotated above an axis that is generally parallel to the screen. These moved and rotated images are simultaneously displayed with a desired display placed in the central portion of the display screen. Compare, for example, the displays in Figs. 2 and 3 of Hartman. However, the switching of the displays in the teachings of Hartman has nothing to do with a change in the state of the working vehicle independent of operator input. At best, Hartman proposes that the display is changed by the operator of the vehicle, so that the operation of the vehicle (i.e., heating or air conditioning) can be changed by engaging marks on the display. For these reasons, applicant respectfully submits that the teachings of Hartman are patently distinguishable from the inventions set forth in claims 1, 6, 8, 9, 17 and 18, where the displays change the independent of operator input, such as by signal received from a sensor. Therefore, applicant respectfully requests that the examiner reconsider and withdraw this rejection.

In accordance with the foregoing amendments and remarks, applicant respectfully submits that the presently claimed invention is patently distinguishable from the teachings of Yagihashi and Hartman within the meaning of 35 U.S.C. §103. Therefore, applicant respectfully requests that the examiner reconsider and withdraw

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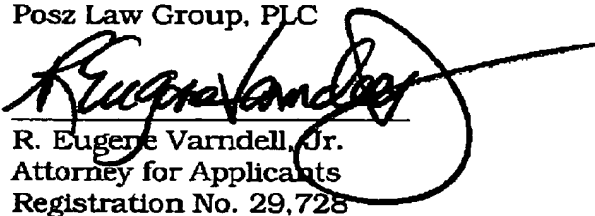
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the rejection of claims 1-6 and 8-18 over Yagihashi and Hartman as set forth in the outstanding Office action.

Based on the above, a formal allowance of claims 1-6 and 8-18 is respectfully requested. While it is believed that all the claims in this application are in condition for allowance, should the examiner have any comments or questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees which become due, may be charged to our deposit account No. 50-1147.

Respectfully submitted,  
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